

Charges against couple who hosted teen party

By Dan Gibbard and Lisa Black
Tribune staff reporters

December 26, 2006, 10:00 PM CST

A Deerfield couple have been charged with allowing an underage drinking party in their basement that police say preceded a deadly homecoming-night crash.

Two local teenagers died in the Oct. 13 accident, which in part led to a round of soul-searching in the well-to-do area and prompted officials to condemn a lack of parental responsibility.

Police said Tuesday that Jeffrey Hutsell, 53, and Sara Hutsell, 52, of the 700 block of Summit Drive, have been charged with five misdemeanors for allowing their son Jonathan Tyler Hutsell, a 2006 Deerfield High School graduate, to throw the party where Daniel Bell, the driver, and Ross Trace had been before they died in a car crash, according to the official charging document.

Toxicology tests showed Bell, 18, of Bannockburn, also a 2006 Deerfield graduate, had a blood-alcohol level of 0.132, well over the legal limit for adults, and Trace, 18, of Riverwoods, a senior at Deerfield, recently had smoked marijuana. Three other teens also were in the car.

"The defendants were home, aware of the gathering, failed to control the party, failed to control access to their home [and] failed to control children's access to alcohol," said Lake County Assistant State's Atty. Dan Shanes. "Alcohol was freely and readily available to all the kids who were there, at least a couple dozen who came in and out."

Charges detailed

The Hutsells were charged with two counts of violating the state liquor control act and one count of endangering the health of a child for allowing the party to take place in their home. They also faced two counts of attempted obstruction of justice for allegedly trying to conceal their son's role in hosting the party and for cleaning up beer cans and alcohol to thwart a police investigation, court records show.

Jonathan Tyler Hutsell previously had been cited twice for underage consumption of alcohol in 2006. He did community service and paid \$82 in fines, court records show.

No one has been charged with supplying alcohol for the party, Shanes said, and barring new information no other charges are forthcoming.

The five charges are each punishable by up to a year in jail, probation or community service, Shanes said. The Hutsells each posted \$5,000 in cash bail and are due in court Jan. 10, Deerfield police said.

The three other teens who were in Bell's Volkswagen Jetta had also been at the Hutsell home, and the accident happened as those five were returning to the party, Shanes said. At least two of the teens apparently had been at a homecoming football game, Deerfield Deputy Chief Rick Wilk said.

The accident, and what police said was the drug-related killing of a former Deerfield High School student less than a month later, led school and town officials to convene a public meeting in neighboring Highland Park in November. Speaker after speaker emphasized the role of parents in preventing teenage drinking.

"It's become a mindset, almost a culture, among parents to say that ... if they're in the basement drinking, it's OK. We know where they are, they're staying here" where they're safe, Deerfield Police Chief John Sliozis said at the meeting.

"Obviously, in this instance that wasn't the case," Wilk said Tuesday. "Hopefully [the charges] will send a message."

Public records show Jeffrey Hutsell is a former president of Enesco Corp., a maker of collectibles that includes Precious Moments figurines. He now runs a company called Levels of Discovery that sells a line of children's merchandise, records show.

Accident scene nearby

The Hutsells' 5,815-square-foot red-brick house sits on 2 woodsy acres, on a cul-de-sac shared with one other house. Withered flower bouquets and burned-down candles mark the spot of the crash, a short walk from the Hutsell home. Friends have written "I love you" and other messages on the tree the car hit the night of the accident.

Reached by phone, a man who identified himself as Jeffrey Hutsell hung up without commenting. A man who answered the door at the residence also declined to comment.

A lawyer representing the family of Ross Trace said he will consider filing a civil lawsuit against the Hutsells, but that could be an uphill battle.

Scott Gibson of Gibson & Kopsick in Waukegan said the Trace family is "still grieving terribly. They want aggressive prosecution of all charges that can be supported by the evidence."

But he said that under Illinois law, a private host can be held responsible for a guest's death or injury related to alcohol only if the victim is 17 or under, so it may be difficult to hold the Hutsells responsible in civil court even if they are found guilty in criminal court.

"We are exploring the possibility of retesting the whole body of law," Gibson said.

Trace's mother already had filed a lawsuit against Bell's mother.

'An amazing person'

Some Deerfield parents came to the Hutsells' defense.

Ellen Waltz, whose children went to school with the Hutsells', described Sara Hutsell as "an amazing person."

"I don't believe they were aware of anything going on," said Waltz, who said she did not know Jeffrey Hutsell well.

The mother of a teenage girl who attended the party and was named in the child-endangerment count described the Hutsells as "a lovely church-going" family. She said the parents were not aware that kids were drinking alcohol in their basement, adding that her daughter told police that she did not see anyone smoking marijuana in the house, either.

"It's one of those freak things that just happen," said the mother, who asked to remain unnamed to protect her daughter's identity. She described the Hutsells as scapegoats.

"It's become a mindset, almost a culture, among parents to say that ... if (their kids are) in the basement drinking, it's OK. We know where they are, they're staying here" where they're safe, Deerfield Police Chief John Sliozis said.